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EXAMINER	
LIVERSEDGE, JENNIFER L	

ART UNIT	PAPER NUMBER
3692	

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/204,390

Applicant(s)

EVERLING ET AL.

Examiner

Jennifer Liversedge

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This Office Action is responsive to Applicant's amendment and request for reconsideration of application 09/204,390 filed on August 31, 2006.

The amendment contains original claims: 3, 5-8, 11-12, 14-17, 19-21.

The amendment contains amended claims: 1-2, 9-10, 13, 18.

The amendment contains previously presented claims: 4, 22-24.

The amendment contains new claims: 25-26.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 3-9, 18-21 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable by Melchione et al (U.S. Patent No. 5,930,764).

Regarding claim 1, Melchione discloses a method for processing transaction data using a processing system, the method comprising:

receiving transaction data, the transaction data containing account numbers (abstract; figs. 1-8; col. 1, lines 53-62; col.2, lines 20-37; col. 7, lines 23-59; col. 14, lines 47-65);

identifying non-issuer account numbers which represent accounts not issued by an issuer using the processing system (col. 7, lines 50-58; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 16, lines 16-44);

performing a matching process including:

identifying a consumer associated with at least one of the identified non-issuer account numbers (col. 2, lines 20-41; col. 7, lines 60-65; col. 8, lines 8-22; col. 16, lines 29-44);

determining if the identified consumer is a customer of the issuer (column 2, lines 28-41; column 7, lines 59-67; column 12, lines 7-21; column 16, lines 16-20);
and

if the identified consumer is a customer of the issuer, then linking the non-issuer account number of the customer with the issuer account number of the customer, so as to provide the issuer account number of

the customer appended to the non-issuer account (column 7, line 59 – column 8, lines 22; column 16, lines 16-44); and

outputting results from the matching process, the results including the issuer account number of the customer appended to the non-issuer account number (col. 8, lines 54-58; col. 14, lines 48-54; col. 16, lines 42-44; col. 34, lines 30-35; col. 35, lines 19-21).

Melchione does not disclose if the identified consumer is not a customer of the issuer, then discarding the non-issuer account number associated with such consumer. However, Melchione discloses a means for scrubbing incoming data (column 7, lines 51-58; column 16, lines 3-8) and then merging the new data associated with an issuer account with the account information in the issuer database (column 4, lines 29-37; column 7, line 59 – column 22; column 16, lines 16-44), and recognizing accounts which are non issuer accounts (col. 23, lines 1-17). According to this procedure, it would be obvious to one of ordinary skill in the art that during the scrubbing and matching process, that data which could not be matched could not be merged and would therefore not be accepted, recognized as a non-issuer account, and thereby it would be discarded and not matched to any existing accounts, since there are no accounts that match in order to merge with. The motivation would be to build information regarding existing customers and to link related but non-issuer accounts together for a given set of customers which already exist, but not to generate information for individuals who are not customers.

Melchione refers to identifying and matching accounts from both internal and external sources, customers and non-customers. While Melchione does not use term non-issuer, it is old and well known that if information regarding accounts is coming from an external source, that inherently the account would be associated with an account issued by another and the receiving party would therefore be a non-issuer. It would be obvious to use the terminology as used by Melchione to describe various types of accounts, the motivation being that the terminology is different but the effect and result in the same.

Regarding claim 18, Melchione discloses a method for processing transaction data using a processing system, the method comprising:

maintaining a database using the processing system, the database containing issuer account numbers representing issuer accounts of customers of an issuer, containing non-issuer account numbers representing non-issuer accounts of the customers (abstract; claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-37; col. 7, lines 23-59, col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67), and containing historical transaction data associated with non-issuer accounts (col. 4, lines 29-37; col. 7, lines 52-65; col. 8, lines 17-22; col. 10, lines 44-52);

receiving new transaction data, the new transaction data representing new credit transactions and comprising records containing at least account numbers of accounts which initiated the new credit transactions (claims 1-3; Figs. 1-8; col. 1, lines 53-62; col.

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2, lines 20-37; col. 7, lines 23-59; col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67);

eliminating new transaction data containing issuer account numbers by comparing the new transaction data to the issuer account numbers maintained in the database using the processing system (col. 2, lines 20-40; col. 7, lines 50-58; col. 16, lines 17-44; col. 20, lines 9-16);

updating the historical transaction data in the database by adding new transaction data containing previously identified non-issuer account numbers (abstract; claims 1-3; Figs. 1-8, col. 1, lines 53-62; col. 2, lines 20-37; col. 7 lines, 23-59; col. 14, lines 47-65; col. 16, lines 22-43; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67, col. 38, lines 55-60; col. 44, lines 30-67);

generating a list of account numbers contained in the new transaction data which are not issuer account numbers and which are not previously identified non-issuer account numbers (col. 2, lines 20-41; col. 8, lines 54-59; col. 16, lines 16-44; col. 23, lines 1-17);

identifying new non-issuer account numbers contained in the list by determining if the account numbers on the list belong to customers of the issuer (col. 7, lines 50-58; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 16, lines 16-44); and

if the account numbers on the list do belong to customers of the issuer, then denoting such account numbers as the new non-issuer account numbers (col. 4, lines 29-37; column 5, lines 2-5; column 7, lines 44-50; column 7, line 59 – column 8, line 7; column 16, lines 29-44);

associating the new non-issuer account numbers with issuer account numbers (col. 2, lines 21-36; col. 7, lines 50-58; col. 16, lines 16-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67);

adding the new non-issuer account numbers to the database (abstract; claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-41; col. 7, lines, 23-59; col. 8, lines 17-22; col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 34, lines 30-35; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67); and

updating the historical transaction data in the database by adding the new transaction data containing the new non-issuer account numbers (abstract; claims 1-3; Figs. 1-8, col. 1, lines 53-62; col. 2, lines 20-37; col. 7 lines, 23-59; col. 14, lines 47-65; col. 16, lines 22-43; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67, col. 38, lines 55-60; col. 44, lines 30-67).

Melchione refers to identifying and matching accounts from both internal and external sources, customers and non-customers. While Melchione does not use term non-issuer, it is old and well known that if information regarding accounts is coming from an external source, that inherently the account would be associated with an account issued by another and the receiving party would therefore be a non-issuer. It would be obvious to use the terminology as used by Melchione to describe various types of accounts, the motivation being that the terminology is different but the effect and result in the same.

Regarding claim 3, Melchione discloses a method further comprising the step of maintaining a database containing issuer account numbers representing issuer accounts of customers of an issuer, and containing customer non-issuer account numbers representing non-issuer accounts of the customers (abstract; claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-37; col. 7, lines 23-59, col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67).

Regarding claim 4, Melchione discloses a method further comprising the step of adding non-issuer account numbers, which were matched to an issuer account number, to the database as customer non-issuer account numbers (abstract; claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-41; col. 7, lines, 23-59; col. 8, lines 17-22; col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 34, lines 30-35; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67).

Regarding claim 5, Melchione discloses a method wherein the database further contains historical transaction data representing previous transactions performed by the customer using a non-issuer account (col. 4, lines 29-37; col. 7, lines 52-65; col. 8, lines 17-22; col. 10, lines 44-52), the method further comprising the step of updating the historical transaction data in the database by adding received transaction data, which contains matched non-issuer account numbers (abstract; claims 1-3; Figs. 1-8, col. 1, lines 53-62; col. 2, lines 20-37; col. 7 lines, 23-59; col. 14, lines 47-65; col. 16, lines 22-

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43; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67, col. 38, lines 55-60; col. 44, lines 30-67).

Regarding claims 6 and 19, Melchione discloses a method further comprising the step of performing queries on the database (col. 1, lines 53-62; col. 2, lines 20-37; col. 7, lines, 23-59; col. 8, lines 54-58; col. 14, lines 47-65).

Regarding claims 7 and 20, Melchione discloses a method further comprising determining the use of the non-issuer account by the customer in response to a result of the query (col. 2, lines 30-41; col. 4, lines 29-37; col. 8, lines 54-58; col. 35, lines 29-62).

Regarding claims 8 and 21, Melchione discloses a method further comprising marketing services of the issuer to the customer in response to the determined use by the customer (col. 5, lines 30-36; col. 6, lines 1-3; col. 7, lines 12-22; col. 8, lines 54-67).

Regarding claims 9, Melchione discloses a method wherein the identifying non-issuer account numbers which represent accounts not issued by an issuer includes:

eliminating transaction data containing account numbers issued by the issuer (col. 2, lines 20-40; col. 7, lines 50-58; col. 16, lines 17-44; col. 20, lines 9-16);

eliminating transaction data that contains data representing duplicate non-issuer account number (abstract; claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-37;

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col. 7, lines 23-59; col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67).

Regarding claim 23, Melchione discloses a method wherein generating the file containing the non-issuer account numbers includes dropping transaction data that relates to an account issued by the issuer (column 2, lines 20-28; column 7, lines 51-58; column 8, lines 8-11; column 16, lines 16-44; column 20, lines 9-11).

Regarding claim 24, Melchione discloses a method wherein determining if the identified consumer is a customer of the issuer includes determining if the identified consumer has an issuer account number associated with an issuer account, which was issued by the issuer (column 2, lines 20-41; column 4, lines 29-37; column 7, line 50 – column 8, line 22; column 16, lines 16-44).

Claims 2, 10-17, 22 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Melchione, and further in view of “Beyond direct mail” by John N. Frank in Credit Card Management, 1996 (further referred to as Frank).

Regarding claim 10, Melchione discloses a method for processing transaction data using a processing system, the method comprising:

receiving new transaction data, the new transaction data representing new credit transactions and comprising records containing at least account numbers of accounts

which initiated the new credit transactions (claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-37; col. 7, lines 23-59; col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67);

eliminating new transaction data based on a determination that new transaction data contains issuer account numbers, the issuer account numbers representing issuer accounts of customers of an issuer, the eliminating performed using the processing system (col. 2, lines 20-40; col. 7, lines 50-58; col. 16, lines 17-44; col. 20, lines 9-16);

generating a list of account numbers contained in the new transaction data which are not issuer account numbers (col. 2, lines 20-41; col. 8, lines 54-59; col. 16, lines 16-44; col. 23, lines 1-17);

and associating, by customer, the non-issuer account numbers with issuer account numbers to constitute a result (col. 2, lines 20-40; col. 4, lines 28-37; col. 7, lines 23-58; col. 16, lines 17-44) and outputting the result (col. 8, lines 54-58; col. 14, lines 48-54; col. 16, lines 42-44; col. 34, lines 30-35; col. 35, lines 19-21).

Melchione refers to identifying and matching accounts from both internal and external sources, customers and non-customers. While Melchione does not use term non-issuer, it is old and well known that if information regarding accounts is coming from an external source, that inherently the account would be associated with an account issued by another and the receiving party would therefore be a non-issuer. It would be obvious to use the terminology as used by Melchione to describe various types of accounts, the motivation being that the terminology is different but the effect and result in the same.

Melchione does not disclose wherein the matching step is performed by a credit bureau. However, Frank discloses wherein the matching step is performed by a credit bureau (page 2, lines 22-24; page 2, line 41 – page 3, line 2). It would be obvious to one of ordinary skill in the art to combine the use of matching by credit bureaus as disclosed by Frank with the account data warehousing method as disclosed by Melchione. The motivation would be that credit bureaus maintain databases of consumer accounts, representing accounts across the consumer's economic habits and characteristics and by receiving data matched by a credit bureau, the receiver would be obtaining a comprehensive report of a consumer's accounts.

Regarding claim 11, Melchione discloses a method further comprising the step of maintaining a database containing issuer account numbers, and containing customer non-issuer account numbers representing non-issuer accounts of the customers (col. 2, lines 20-41; col. 8, lines 17-22; col. 16, lines 17-44).

Regarding claim 12, Melchione discloses a method further comprising the step of adding non-issuer account numbers, which were matched to an issuer account number, to the database as customer non-issuer account numbers (abstract; claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-41; col. 7, lines, 23-59; col. 8, lines 17-22; col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 34, lines 30-35; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67).

Regarding claim 13, Melchione discloses a method wherein the database further contains historical transaction data representing previous transactions performed by the customer using a non-issuer account (col. 4, lines 29-37; col. 7, lines 52-65; col. 8, lines 17-22; col. 10, lines 44-52), the method further comprising the step of updating the historical transaction data in the database by adding received transaction data, which contains matched non-issuer account numbers (abstract; claims 1-3; Figs. 1-8, col. 1, lines 53-62; col. 2, lines 20-37; col. 7 lines, 23-59; col. 14, lines 47-65; col. 16, lines 22-43; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67, col. 38, lines 55-60; col. 44, lines 30-67).

Regarding claim 14, Melchione discloses a method further comprising the step of performing queries on the database (col. 1, lines 53-62; col. 2, lines 20-37; col. 7 lines, 23-59; col. 8, lines 54-58; col. 14, lines 47-65).

Regarding claim 15, Melchione discloses a method further comprising determining the use of the non-issuer account by the customer in response to a result of the query (col. 2, lines 30-41; col. 4, lines 29-37; col. 8, lines 54-58; col. 35, lines 29-62).

Regarding claim 16, Melchione discloses a method further comprising marketing services of the issuer to the customer in response to the determined use by the customer (col. 5, lines 30-36; col. 6, lines 1-3; col. 7, lines 12-22; col. 8, lines 54-67).

Regarding claim 17, Melchione discloses a method further comprising the steps of eliminating duplicate account numbers (abstract; claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-37; col. 7, lines 23-59; col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67).

Regarding claims 2 and 25, Melchione discloses a method wherein identifying non-issuer account numbers which represent accounts not issued by an issuer is performed by the issuer (column 2, lines 28-41; column 7, lines 59-67; column 12, lines 7-21; column 16, lines 16-20).

Melchione does not disclose wherein the matching step is performed by a credit bureau. However, Frank discloses wherein the matching step is performed by a credit bureau (page 2, lines 22-24; page 2, line 41 – page 3, line 2). It would be obvious to one of ordinary skill in the art to combine the use of matching by credit bureaus as disclosed by Frank with the account data warehousing method as disclosed by Melchione. The motivation would be that credit bureaus maintain databases of consumer accounts, representing accounts across the consumer's economic habits and characteristics and by receiving data matched by a credit bureau, the receiver would be obtaining a comprehensive report of a consumer's accounts.

Regarding claim 22, Melchione discloses a method wherein identifying non-issuer account numbers which represent accounts not issued by an issuer includes generating a file containing the non-issuer account numbers (column 23, lines 1-17).

Melchione does not disclose the method including forwarding the file from the issuer to the credit bureau; and wherein the outputting results from the matching process includes the credit bureau forwarding the results from the credit bureau to the issuer. However, Frank discloses where a credit bureau is used for data warehousing and data mining (page 2, lines 11-14) and wherein account information about existing accounts (page 2, line 18, lines 22-24, lines 27-8 and lines 41-42) is stored in databases based on information from credit bureaus in order to discern account patterns (page 2, lines 22-24 and lines 33-34; page 2, line 41 – page 3, line 2). It would be obvious to one of ordinary skill in the art that credit bureaus are used for gathering account data, wherein the credit bureau sends results to organizations wishing to analyze account information using the data they provide. The motivation would be to use a central depository for account information across accounts, as opposed to only those accounts issued by the issuer, and to use the most efficient source for obtaining such information.

Regarding claim 26, Melchione discloses a method for processing transaction data using a processing system, the method comprising:

receiving transaction data, the transaction data containing account numbers (abstract; figs. 1-8; col. 1, lines 53-62; col.2, lines 20-37; col. 7, lines 23-59; col. 14, lines 47-65);

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identifying non-issuer account numbers which represent accounts not issued by an issuer using the processing system (col. 7, lines 50-58; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 16, lines 16-44);

performing a matching process including:

identifying a consumer associated with at least one of the identified non-issuer account numbers (col. 2, lines 20-41; col. 7, lines 60-65; col. 8, lines 8-22; col. 16, lines 29-44);

determining if the identified consumer is a customer of the issuer (column 2, lines 28-41; column 7, lines 59-67; column 12, lines 7-21; column 16, lines 16-20); and

if the identified consumer is a customer of the issuer, then linking the non-issuer account number of the customer with the issuer account number of the customer, so as to provide the issuer account number of the customer appended to the non-issuer account (column 7, line 59 – column 8, lines 22; column 16, lines 16-44;); and

outputting results from the matching process, the results including the issuer account number of the customer appended to the non-issuer account number (col. 8, lines 54-58; col. 14, lines 48-54; col. 16, lines 42-44; col. 34, lines 30-35; col. 35, lines 19-21);

maintaining a database containing issuer account numbers representing issuer accounts of customers of an issuer, and containing customer non-issuer account numbers representing non-issuer accounts of the customers (abstract; claims 1-3; Figs.

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1-8; col. 1, lines 53-62; col. 2, lines 20-37; col. 7, lines 23-59, col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67);

identifying non-issuer account numbers which represent accounts not issued by an issuer includes eliminating transaction data containing account numbers issued by the issuer (col. 2, lines 20-40; col. 7, lines 50-58; col. 16, lines 17-44; col. 20, lines 9-16); eliminating transaction data that contains data representing duplicate non-issuer account number (abstract; claims 1-3; Figs. 1-8; col. 1, lines 53-62; col. 2, lines 20-37; col. 7, lines 23-59; col. 14, lines 47-65; col. 16, lines 17-44; col. 20, lines 10-16; col. 23, lines 1-17; col. 35, lines 29-67; col. 38, lines 55-60; col. 44, lines 30-67).

Melchione does not disclose wherein the matching step is performed by a credit bureau. However, Frank discloses wherein the matching step is performed by a credit bureau (page 2, lines 22-24; page 2, line 41 – page 3, line 2). It would be obvious to one of ordinary skill in the art to combine the use of matching by credit bureaus as disclosed by Frank with the account data warehousing method as disclosed by Melchione. The motivation would be that credit bureaus maintain databases of consumer accounts, representing accounts across the consumer's economic habits and characteristics and by receiving data matched by a credit bureau, the receiver would be obtaining a comprehensive report of a consumer's accounts.

Response to Arguments

Applicant's arguments filed August 31, 2006 have been fully considered but they are not persuasive.

Applicant argues that Melchione fails to teach or suggest identifying a consumer associated with a non-issuer account number and determining if the identified consumer is a customer of the issuer. The Melchione method includes a database for storing information about both existing and potential customers, wherein the data is received from outside sources as well as storing existing customer financial information (column 7, line 59 – column 8, line 7 and column 16, lines 16-44). When data is received, a determination is made as to whether the customer is one with an existing account and financial information stored in the database, or whether this is a potential customer. A determination is made as to whether the data is related to the two specified categories as defined by Melchione – an existing customer, or a potential customer. Therefore, the consumer associated with a non-issuer account number is identified when the information is received and entered into the database as a potential, and therefore not a customer of the issuer, customer. Similarly, a determination is made as to whether the identified consumer is a customer of the issuer in the same process. All data is merged into a single unit for any given individual and in order to perform that merge process, a determination is made when data is received from the various feeds as to whether the consumer is in the database as an existing customer with existing financial account information, or whether this is a potential customer and therefore not a customer.

Applicant further states that Melchione fails to teach or suggest particular manipulation of information relating to the processing of "non-issuer account numbers" in conjunction with a determination of whether the associated "identified consumer" is a customer of the issuer. However, Melchione specifically describes where data as received from various data feeds is manipulated in order to be stored in a common format in the database (column 7, line 50 - column 8, line 11; column 16, lines 3-44). The data as received in various formats from various data feeds is standardized for storage in the database such that all account information for any given individual, regardless of its source, can be stored under one common unit, an aggregate account information storage unit.

Applicant states that Frank fails to teach or suggest a matching step being performed by a credit bureau. However, Examiner points to the matching as performed by credit bureaus in terms of data warehousing and data mining in which credit issuers use such data from the credit bureau in developing and maintaining marketing databases in order to gather all possible information regarding both current account holders as well as potential account holders (pages 2-3). Credit bureau accounts include information regarding a consumer representative of the aggregate of a consumer's account and financial transaction activity, wherein account and transaction activity is gathered together under one unit for the consumer in order to develop credit information.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Pub. No. 2002/0026394 A1 to Savage et al. Savage discloses

the method by which multiple accounts for a consumer are consolidated into a single account statement. As disclosed in Savage, when electronic bill information is received, a determination is made as to whether or not the consumer associated with the account information is a customer of the bill consolidator and the electronic bills from various feeds are stored under a single customer account number, in which the account numbers are matched (page 3, paragraph 18; page 5, paragraph 55; page 6, paragraph 59; page 9, paragraphs 74-76; page 12, paragraph 94; page 15, paragraph 109; page 16, paragraph 114).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday – Friday, 8:30 – 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached at 571-272-6777. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Liversedge
Examiner
Art Unit 3692



RICHARD E. CHILCOT, JR.
SUPERVISORY PATENT EXAMINER